

McClellan (M.D.)



To the Physicians of Philadelphia:

There is a law on the Statute Books of Pennsylvania which reads as follows:

"No apothecary, druggist, or other person, shall sell or dispose of, by retail, any Morphia, Strychnia, Arsenic, Prussic Acid, or Corrosive Sublimate, except upon the prescription of a physician, or on the personal application of some respectable inhabitant of full age of the town or place in which such sale shall be made, and in all cases of such sales, the word "poison" shall be carefully and legibly marked or placed upon the label, package, bottle, or other vessel or thing in which such poison is contained; and when sold or disposed of otherwise than under the prescription of a physician, the apothecary, druggist, or other person selling or disposing of the same, shall note in a register, kept for that purpose, the name and residence of the person to whom such sale was made, the quantity sold, the date of such sale; any person offending therein shall be guilty of a misdemeanor, and on conviction, be sentenced to pay a fine not exceeding fifty dollars."

Now to most intelligent persons that law means that when the poisons therein named are sold, at retail, AS SUCH, and in bulk, they shall be labelled "poison," and in case they are sold other than on a physician's order, a proper record shall be kept of the sale.

You are probably familiar with the lately reported case, where some fools undertook to see which was the greatest fool among them by daring each other to swallow quantities of pills, of, to them, unknown composition—but which each contained one-twentieth grain of strychnia—in consequence of which folly the youngest of the party died.

The Coroner of Philadelphia is holding an inquest upon her body.

It has been proven to him that the prescription was written by a regular physician; that it was for pills each of which contained one-twentieth of a grain of strychnia; that it was dispensed in my prescription department by a graduate of some years' standing of the College of Pharmacy of Philadelphia; that the proper article was dispensed; that the directions given by the prescription "one at meals" were clearly and legibly written on the lid of the box containing the pills.

Further it has been proven to him that on a foolish banter several persons ate each a number of the pills; that they were seized with all the symptoms of strychnia poisoning, and that Annie Carrol—one of them—died, while manifesting violently such symptoms, and after having stated that she had taken at once fourteen of the pills—seven-tenths of a grain of strychnia.

Two sittings of the jury have been held, and at these these points have been brought out. There is no doubt in any one's mind why or how Annie Carrol came to her death. I say in any one's, but as the Coroner has ordered a post mortem on the poor child's body, and an examination of the stomach and its contents by the Toxicologist of the University of Pennsylvania—Dr. Reese,—it is fair to say that there is still a lingering doubt in his mind and in that of his intelligent jury—which jury, I am informed by an attache of his office, are hired by the week for a dollar a day each—subject, I suppose, to peremptory firing out, in case of failure to find as desired.

As the prescription was dispensed in my store, I was summoned before the Coroner and his (I use the word his—possessive, you know—advisedly) jury, and after all the testimony I could give was given as to the facts in the case, the Coroner sought an argument with me on the law which I have quoted

in the first part of this letter, he taking the ground that the law required that everything sold, whether physician's prescription or not, containing any of the five mentioned articles directly, or any ingredient containing them, must be labelled "poison," and inferentially argued that I had broken the law in not so labelling these pills. From the evident bent of the **Coroner's** mind I have no doubt that he has decided that I should be, at least, censured, and that, consequently, **his** jury will so find.

For this, except as to its possible influence on my business, I care nothing whatever. The only jury capable of passing on the case or for whose verdict I cared was the physicians of Philadelphia, and there is no doubt in my mind but that they will reverse any such verdict from his jury. His jury might with equal propriety pass upon Koch's theory concerning cholera—they know as much about one as about the other and know nothing about either.

Let us see the consequence of obeying the law as interpreted by the Coroner; let us look at some prescriptions from my file to day:

Prescription 77,976.

Aromatic Syr. of Nut Galls; two fluid ounces,
Compound Spirit of Lavender; two fluid drachms,
Paregoric; half a fluid ounce,
Precipitated Carbonate of Lime; one drachm,
Syrup of Gum Arabic; half a fluid ounce,
Mix. Dose a teaspoonful, etc. etc.

Dr. Ludlow.

This according to this construction must be labelled "poison." The paregoric contains opium, which contains morphia.

Prescription 77,974.

Scheffer's Pepsin, thirty-six grains,
Calomel, one grain,
Dover's Powder, two grains,
Sugar of Milk, six grains.

Mix, and make twenty-four powders.

Dr. Ellwood Wilson.

This also must be labelled "poison," as the opium in the Dover's Powder contains morphia.

Prescription 77,968.

Tincture of Nux Vomica, one hundred and twenty drops,
Simple Elixir, one fluid ounce,
Huxham's Tincture, one fluid ounce and a half.
Dose, a teaspoonful, etc.

Dr. Benner.

Here the Nux Vomica contains strychnia, and the bottle must be labelled "poison."

Prescription 77,966.

Eight suppositories, each containing half a grain of aqueous extract of opium. Use one, etc.

Dr. J. C. Wilson.

This must also be labelled "poison," for the same alleged reason.

(If some lunatics will banter each other as to how many of these they can insert in their respective rectums, they also will be subjects for inquest.

Why multiply instances? The construction that the Coroner seeks to establish will be proven absurd by five prescriptions out of any ten on the files of any apothecary in Philadelphia.

Take this one:

Prescription 77,959.

Subnitrate of Bismuth, half an ounce,

Strychnia, one grain.

Mix well and divide into twenty powders. Dose, one, etc.

Or the one next it;

Prescription 77,960.

Acetate of Lead, twenty-four grains,

Nitrate of Silver, two grains,

Powdered Opium, four grains.

Mix, and make twelve pills.

Dr. Rex.

Or this one:

Prescription 77,953.

Sulphate of Cinchonidia, sixty grains,

Arsenious acid, one grain,

Extract of Belladonna, five grains,

Mass of Carbonate of Iron, one hundred grains.

Mix, and make fifty pills. One after meals. Dr. Pepper.

Or this one:

Prescription 77,948.

Extract of Gentian, thirty grains,

Pepsin, (scaled), twenty grains,

Extract of Nux Vomica, twelve grains,

Powdered Capsicum, six grains,

Sulphate of Morphia, one-half of a grain.

Mix, and make thirty pills. One pill, etc.

All these prescriptions must be labelled "poison," according to the Coroner's construction of the law. If all or a large part of any one of the last four prescriptions quoted are taken at once by a girl of fourteen, death will almost certainly ensue, and yet no one except the Coroner and his jury will assert that any one of them should be labelled "poison." All these prescriptions are close together on my file, as their numbers indicate.

I believe that due care in labelling articles with cautionary labels has always been observed in my store. I know that I have been reproached by physicians for what they deemed an excess of such care. The only case under consideration now, however, is this special one, and I may be pardoned if I add a little more relative to it to this already long letter.

If this prescription had been:

Strychnia, five grains,

Water, twelve and a half fluid ounces.

Dose, a teaspoonful, (one-twentieth of a grain), at meals,

I would not have allowed it to have gone out without a cautionary label on it, because, dispensed in that way, there would have been a chance for an ordinarily careless person to do themselves harm by taking a tablespoonful by mistake for a teaspoonful, or by, as many people do, turning the bottle up to their

mouths, and **guess** that they have swallowed the proper dose. My experience has taught me to anticipate and provide against such things as these, as far as may be, but in this case the dose was already gauged for the patient; he could not take even two pills in mistake for one, and if a "poison" label had been on the box, the patient would, in all probability, not have taken the pills at all, being deterred therefrom by the label.

In the now nearly eighteen years that I have been in this store I have been cognizant of, probably, many more prescriptions than has any other one person in Philadelphia, and I have never seen nor heard of, in this store or any other, a "poison" label being placed on a box of pills. If any one else has, they have had an experience that I have not had.

I have made in these years some reputation for carefulness and knowledge of my business and its requirements. With the physicians of this city I am sure that that reputation is safe beyond the possibility of injury from the verdict of any dollar-a-day Coroner's jury. But such a verdict as I believe will be rendered will influence the general community seriously against me unless it be counteracted by the good offices of my friends. I believe that endeavor, on their part, to have their patients and other lay friends have a correct understanding of this affair and my action therein, in this case is due me from the medical profession, and, under the circumstances, I am bold to ask it from them, which I now do.

Very Sincerely,

GEORGE I. McKELWAY, Apothecary.

1410 Chestnut Street, Monday, August 4th, 1884.

